

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

BRENT TRACY,)	
)	
Claimant,)	IC 01-024092
v.)	
)	
P & L TRUCKING (currently L&P TRUCKING),)	ORDER
)	
Employer,)	
and)	
)	FILED JUNE 24 2005
IDAHO STATE INSURANCE FUND,)	
)	
Surety,)	
Defendants.)	
_____)	

Pursuant to Idaho Code § 72-717, Referee Douglas A. Donohue submitted the record in the above-entitled matter, together with his proposed findings of fact and conclusions of law to the members of the Industrial Commission for their review. Each of the undersigned Commissioners has reviewed the record and the recommendations of the Referee. The Commission concurs with these recommendations. Therefore, the Commission approves, confirms, and adopts the Referee's proposed findings of fact and conclusions of law as its own.

Based upon the foregoing reasons, IT IS HEREBY ORDERED that:

1. Claimant suffered a ruptured biceps tendon as a result of the industrial accident, which injury, after repair, resulted in no ratable PPI;
2. Claimant became medically stable from injuries sustained as a result of the industrial accident on September 24, 2002; and
3. Claimant failed to show his shoulder condition was caused by the industrial accident, and failed to show he is entitled to any benefits related to it.

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4. Pursuant to Idaho Code § 72-718, this decision is final and conclusive as to all issues adjudicated.

DATED this 24TH day of JUNE, 2005.

INDUSTRIAL COMMISSION

/S/_____
Thomas E. Limbaugh, Chairman

/S/_____
James F. Kile, Commissioner

/S/_____
R. D. Maynard, Commissioner

ATTEST:

/S/_____
Assistant Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on 24TH day of JUNE, 2005, a true and correct copy of the foregoing **ORDER** was served by regular United States Mail upon each of the following:

Brad D. Parkinson
P.O. Box 1645
Idaho Falls, ID 83403-1645

David P. Gardner
P.O. Box 817
Pocatello, ID 83204-0817

db

/S/_____